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11 ATTORNEYS FOR DEFENDANT ATIRA TECHNOLOGIES,
12 LLC.

13 IN THE UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15 SAN JOSE DIVISION

16 XS Holding B.V., derivatively on behalf of
17 Xslent Technologies, LLC and XET Holding
18 Co., LLC, and separately on its own behalf,

19 Plaintiff,

20 v.

21 COOL EARTH SOLAR, INC., a Delaware
22 corporation; ROB LAMKIN, an individual;
23 LAWRENCE ASUNCION, an individual;
24 SOLAR COMPONENTS LLC, a Delaware
25 limited liability company; NATHAN
26 SCHULHOF, an individual; M. JAMES
27 BULLEN, an individual; MARTIN N.
28 LETTUNICH, and XSLENT, LLC; and
DEFENDANT ATIRA TECHNOLOGIES,
29 LLC'S JOINDER TO DEFENDANTS
MARTIN LETTUNICH'S AND STEFAN
MATAN'S MOTION TO DISMISS THIS
ACTION FOR LACK OF DIVERSITY
JURISDICTION AND FAILURE TO NAME
INDISPENSABLE PARTIES
[FED.R.CIV.P.RULE 12(B)(1), (7).]

Defendants.

CASE NO. C08 02282 (RMW)

Date: July 25, 2008
Time: 9:00 a.m
Judge: The Hon. Ronald M. Whyte

24 Defendant Atira Technologies, LLC hereby joins in the Motion to Dismiss This Action
25 for Lack of Diversity Jurisdiction and Failure to Name Indispensable Parties of Co-defendants
26 Martin Lettunich and Stefan Matan, filed electronically with this Court on May 22, 2008.

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CASE NO. C08 02282 (RMW)

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JOINDER IN MOTION TO DISMISS [FRCP 12(B)(1) AND (7)]

1 Dated: June 9, 2008

BERLINER COHEN

2

3 BY: /S/ CHRISTINE H. LONG

4 FRANK R. UBHAUS

5 CHRISTINE H. LONG

6 ATTORNEYS FOR DEFENDANT ATIRA

7 TECHNOLOGIES, LLC.

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CASE NO. C08 02282 (RMW)

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JOINDER IN MOTION TO DISMISS [FRCP 12(b)(1) AND (7)]